

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
EASTERN (WATERLOO) DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	No. 16-CR-2012-LRR
)	
vs.)	
)	
TEARON JACKSON,)	
)	
Defendant.)	

FINAL ORDER OF FORFEITURE

WHEREAS, an Indictment was filed on March 23, 2016, charging defendant with a violation of 18 U.S.C. § 922(g)(1), being a felon in possession of firearms and ammunition, and a violation of 18 U.S.C. § 922(j) possession of a stolen firearm, with a forfeiture allegation included seeking the forfeiture of two firearms, a 9mm Ruger handgun, a Walther .380 pistol¹, and .380 ammunition;

AND WHEREAS, on May 2, 2016, the Honorable Jon Stuart Scoles, Chief Magistrate Judge for the Northern District of Iowa, entered a Report and Recommendation concerning the plea of guilty (Document #25);

AND WHEREAS, pursuant to the provision of Rule 32.2(b)(1)(A) of the Federal Rules of Criminal Procedure, Judge Scoles found that the government had established the requisite nexus between the property subject to forfeiture, the

¹ The Government indicated in its Motion for Preliminary Order of Forfeiture filed on May 18, 2016, that the Walther .380 pistol was determined to be stolen and will be returned to its rightful owner at the conclusion of the criminal case.

firearms and ammunition, and the offenses as charged in Counts 1 and 2 of the March 23, 2016, Indictment, a prohibited person in possession of firearms and ammunition, in violation of 18 U.S.C. §§ 922(g)(1) and 18 U.S.C. § 922(j);

AND WHEREAS, on May 17, 2016, the Court accepted Judge Scoles' Report and Recommendation of May 2, 2016 (Document #27);

AND WHEREAS, pursuant to the May 17, 2016, acceptance of the plea of guilty, the United States moved for a Preliminary Order of Forfeiture on May 18, 2016, on the Ruger 9mm handgun and any ammunition, pursuant to Rule 32.2(b)(2)(A), seeking an order following the Court's acceptance of Judge Scoles' Report and Recommendation, including his finding of the requisite nexus between the firearm, and the offense (Document #28);

AND WHEREAS, on May 19, 2016, this Court entered a Preliminary Order of Forfeiture pursuant to the provisions of 18 U.S.C. § 924(d), and 28 U.S.C. § 2461(c), based upon the defendant's guilty plea entered on May 2, 2016, in which the Court ordered the forfeiture of any interest defendant had or has in the Ruger 9mm handgun and any ammunition alleged to be subject to forfeiture under the Forfeiture Allegation of the March 23, 2016, Indictment (Document #29);

AND WHEREAS, notice of this forfeiture was posted on www.forfeiture.gov for 30 consecutive days beginning May 27, 2016, and continuing through June 25, 2016, of the United States' intent to dispose of the property in accordance with the law and further notifying all third parties of their right to petition the

Court within thirty (30) days for a hearing to adjudicate the validity of their alleged legal interest in the property (Document #31);

AND WHEREAS, Richard Dean Hodnefield, was served by certified mail, return receipt, on May 31, 2016, with a Notice of Forfeiture for the Ruger 9mm handgun (Document #42);

AND WHEREAS, no third-party claims have been made for return of seized property against the firearm and ammunition included in the Preliminary Order of Forfeiture;

AND WHEREAS, defendant Tearon Jackson was sentenced on September 20, 2016, said judgment having been filed on September 20, 2016; (Document #40);
It is HEREBY ORDERED, ADJUDGED and DECREED:

1. That any right, title, and interest defendant has or had in the hereinafter described property is hereby condemned, forfeited and vested in the United States of America, and shall be disposed of according to law.

2. That the following property seized from Tearon Jackson who is the subject of this Order, is hereby condemned and forfeited to the United States of America, as follows:

a Ruger, Model P85, 9mm semi-automatic handgun, Serial #301-45639, as well as any ammunition, seized from defendant on or about December 17, 2015 in Waterloo, Iowa.

3. That any interest Richard Dean Hodnefield has or had in the Ruger 9 mm handgun referenced in paragraph 2 above, is hereby extinguished for his failure to file a claim/petition in this criminal action.

4. That the United States Marshals Service and/or Federal Bureau of Investigation, is hereby authorized to dispose of the firearm identified in paragraph 2 above, as well as any ammunition.

5. That the United States District Court shall retain jurisdiction in this case for the purpose of enforcing this Order.

DATED this 22nd day of September, 2016.

A handwritten signature in dark ink, appearing to read "Linda R. Reade", is written over a horizontal line.

LINDA R. READE
CHIEF JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA